

RESOLUTION NO. 2099

**EAST NORRITON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

**A RESOLUTION GRANTING CONDITIONAL, PRELIMINARY/FINAL
APPROVAL OF THE APPLICATION FOR THE LAND DEVELOPMENT OF DUNN-
NOBLE REALTY FOR THE WALGREENS DRUGSTORE LOCATED AT DEKALB
PIKE AND EAST TOWNSHIP LINE ROAD.**

The Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, hereby resolves to grant conditional, preliminary/final approval of the Dunn-Noble Realty plan for the Walgreens Drug Store land development application as more fully detailed on the plans listed on Exhibit "A" attached hereto and made part hereof (the "Plans") and further conditioned upon the following being satisfied by Applicant:

1. Fulfilling all obligations and requirements, where applicable relative to the Plans, of the Township Sanitary Sewer Engineer and those requirements set forth by the Township Engineers' letters dated July 16, 2003, April 28, 2003 and January 30, 2003, the letters of the Township Land Planning Consultant, E. Van Rieker, dated January 21, 2003, the Township Planning Commission minutes dated May 19, 2003, April 15, 2003, February 18, 2003 and November 4, 2002, letters dated April 15, 2003 and April 4, 2003 the Township Staff meeting minutes dated, July 2, 2003, September 4, 2002 the Township Fire Marshal's review memoranda dated July 16, 2003, April 27, 2003 and January 24, 2003, Montgomery County Planning Commission's letter dated February 14, 2003 and the letters from URS dated February 13, 2003 and May 8, 2003 some of which are detailed as follows:

a. The Applicant shall identify in the General Notes on the Record Plans the benchmark utilized to prepare the Topographic and Grading Plans. (Item #30 – Preliminary Plan - in REB letter of July 16, 2003).

b. In light of the Township Engineer's request that the parking lot be re-graded to drain to the curb, the Board recognizes that the area in question is a privately owned structure. The existing grading will be permitted as long as the Applicant agrees to maintain the parking area and the related storm water drainage system. (Item #9 – Storm Drainage- in REB letter of July 16, 2003).

c. The storm sewer system from run I-7 to EW-3 shall have the capacity to carry the 100 year storm outflow. (Item #9 – Storm Drainage - Second Submission - in REB letter of July 16, 2003).

d. The tail water elevation imposed on the basin outfall by the proposed box culvert within the unnamed tributary to Stoney Creek for a 100 year storm shall be used for the detention basin routing calculations. (Item #10 – Storm Drainage - Second Submission - in REB letter of July 16, 2003).

e. The appropriate storm outlet structure and inlet structure downstream (an expanded Type #2 inlet box or a Pennsylvania Department of Transportation Modified Box) be used with the storm water management system. (Item #11 – Storm Drainage - Second Submission - in REB letter of July 16, 2003).

f. The Applicant shall build the proposed sediment basin to the finished height of the Detention Basin to facilitate stabilization. (Item #3 – Comments from Third Review - in REB letter of July 16, 2003).

g. As the property is to be created by consolidation of multiple lots, the Applicant shall provide a deed of consolidation. (Item #9 – Preliminary Plan - in REB letter of July 16, 2003).

h. The Applicant shall direct any floodlights on the property away from the neighboring properties to the satisfaction of the Director of Code Enforcement. (E. Van Rieker Letter of January 21, 2003).

2. The Applicant shall comply with Traffic Planning and Designs traffic study report dated January 15, 2003.

3. The Applicant shall comply with the East Norriton Township Zoning Hearing Board Case No. 2002-15 and Case No. 2003-2 and shall list the relief granted and the conditions thereto on the Plans.

4. The Applicant shall comply with East Norriton Township Resolution No. 2096 for the adoption of the Sanitary Sewer Module Planning Module Exemption.

5. The Applicant shall design and construct an improved storm water management (SWM) system for the unnamed tributary to Stoney Creek across Butchers Mill Road from the subject Property. The Township will cooperate with the Applicant in securing any necessary easements and will support the Applicant in obtaining any required permits.

6. The Applicant shall provide engineering designs, legal descriptions, and easements for the SWM system from Township Line Road, along Butchers Mill Road, through the Mobley property, and terminating at the Czech property. The Applicant shall provide a design that is substantially similar to that attached hereto and made a part hereof as Exhibit “B”.

7. The Applicant shall negotiate, in good faith, with the land owners impacted by the SWM system for the necessary construction and permanent easements to construct the SWM system. In the case that through the Applicant’s good faith efforts the Applicant is unable to secure said easements, the Township will secure the easements. In any case, the Township shall allow the Applicant to proceed with the construction of the Applicant’s project (the Walgreen’s Store) and all other on-site improvements, including the issuance of a Certificate of Occupancy in the event the easements are the only items outstanding for the SWM system. The Applicant agrees to install and construct the SWM system when all easements are in place – it being the intention of the parties that the SWM system be constructed during the construction of the on-site improvements.

8. At the Applicant' request, the Applicant shall provide \$110,000.00 in lieu of the Township's requirements to preserve open space. The Township and the Applicant hereby agree that the cost of the SWM system including engineering design, permitting, legal expenses, whether by the Applicant's attorney or the Township Solicitor on the Applicant's behalf, and the construction of the improvements ("SWM Costs") is approximately \$100,000.00. All SWM Costs shall be the Applicant's but shall be offset against the Applicant's fee in lieu of open space contribution. Any SWM Costs that exceed the open space contribution, shall be the Applicant's responsibility.

9. The Applicant shall pay to the township a traffic impact fee in the amount of \$67,237.00.

10. The Applicant shall provide the necessary analysis and design for the coordination of and retiming of the traffic signals at DeKalb Pike and Township Line Road, DeKalb Pike and Swede Road, and Township Line Road and Swede Road. Applicant shall retime the intersections per the findings of the analysis and design. The cost of such re-timing shall be offset against the Applicant's traffic impact fee obligation.

11. The Applicant shall offer for dedication the area between the legal right-of-way and ultimate right-of-way along its Township Line Road frontage to the governing body having jurisdiction for these roadway.

12. The Applicant shall obtain permits from all other regulatory agencies having jurisdiction over this project.

13. The Applicant shall enter into an Application and Agreement and Improvement Fund Agreement and post financial security for all improvements including the SWM Costs to the satisfaction of the Township Engineer and Township Solicitor.

14. The Applicant shall connect to East Norriton Township sanitary sewer system and pay tapping fees and inspection fees at the then current rates if required.

15. The Applicant shall be responsible for payment of all Townships Consultant fees related to this project.

The Board has reviewed and hereby grants the following Waivers:

1. From Section 175-35.(C) to allow plan approval without showing all existing features within 400' of the site. The Applicant has provided an aerial photograph of the site on Detail Sheet #13.

2. From Section 175-19.(A).1 to allow the use of 6" dense graded aggregate base course (PADOT 2A) within the parking area, in lieu of the require 8". The parking lot is to be privately maintained.

3. From Section 175-35.C.(6) from providing the location of the water table and test borings. Testing and borings will be performed prior to construction and shared at that time with the township engineer.

4. From Section 175-20.(B).1 to allow 6" reveal curb within the parking lot in lieu of the required 8" reveal.

5. From Section 175-22.1.D from providing screening directly around the dumpster.

6. From Section 175-22.1.D from providing additional screening around the detention basin. As the area in question is the portion of the detention basin that is adjacent to the PECO Utility Substation, the Applicant shall donate five (5) trees to the Township (As agreed at the 5/19/03 Planning Commission Meeting.)

7. From Section 175-30. C.4 from providing the required eight (8) street trees (one (1) tree per fifty (50) feet of frontage). The Applicant shall relocate five (5) trees to the rear of the site and shall donate three (3) trees to the Township. (As agreed at the 5/19/03 Planning Commission Meeting.)

8. From Section 175-26.C (3) (f) to permit interior basin slopes of 3:1 and an exterior basin berm slope of 2:1 in lieu of the required 4:1 slope contingent upon the utilization of proper stabilization methods as approved by the Township Engineer.

9. From Section 175-22(B).7 to permit grading up to PECO and Butcher's Mill Road Property lines in lieu of the required 3 ft. setback. The Applicant shall provide a letter from PECO acknowledging the grading at the property.

10. From Section 175-19.E(2)(b) to permit a row of parking adjacent to the building with only on (1) landscaped island in lieu of the required two (2) landscaped islands.

11. From Section 175-20.A(1) to waive the requirement to install sidewalks along both street frontages because of the impending Route 202 Project. The Applicant shall post an escrow with the Township for the cost of this sidewalk, until such time it is determined if the impending Route 202 Project will be installing sidewalk along these street frontages.

12. From Section 175-19.B(4) to permit less than the required minimum 15 foot driveway radius at turning radii throughout the site.

EXHIBIT "B"

FORGED IN DEED BOOK 1027, PAGE 191
 O CONDITIONS THAT ONLY ONE
 CT TO BE USED AS A DWELLING
 SOUTHWEST SIDE OF DEPAUL STREET,
 THAN FIVE THOUSAND DOLLARS TO
 GAGER TO SAID STREET FROM NINETY

ING RECORDED IN DEED BOOK 2594,

EXALB STREET (PIKE) IS SUBJECT TO

NOT KNOWN AT THE TIME OF

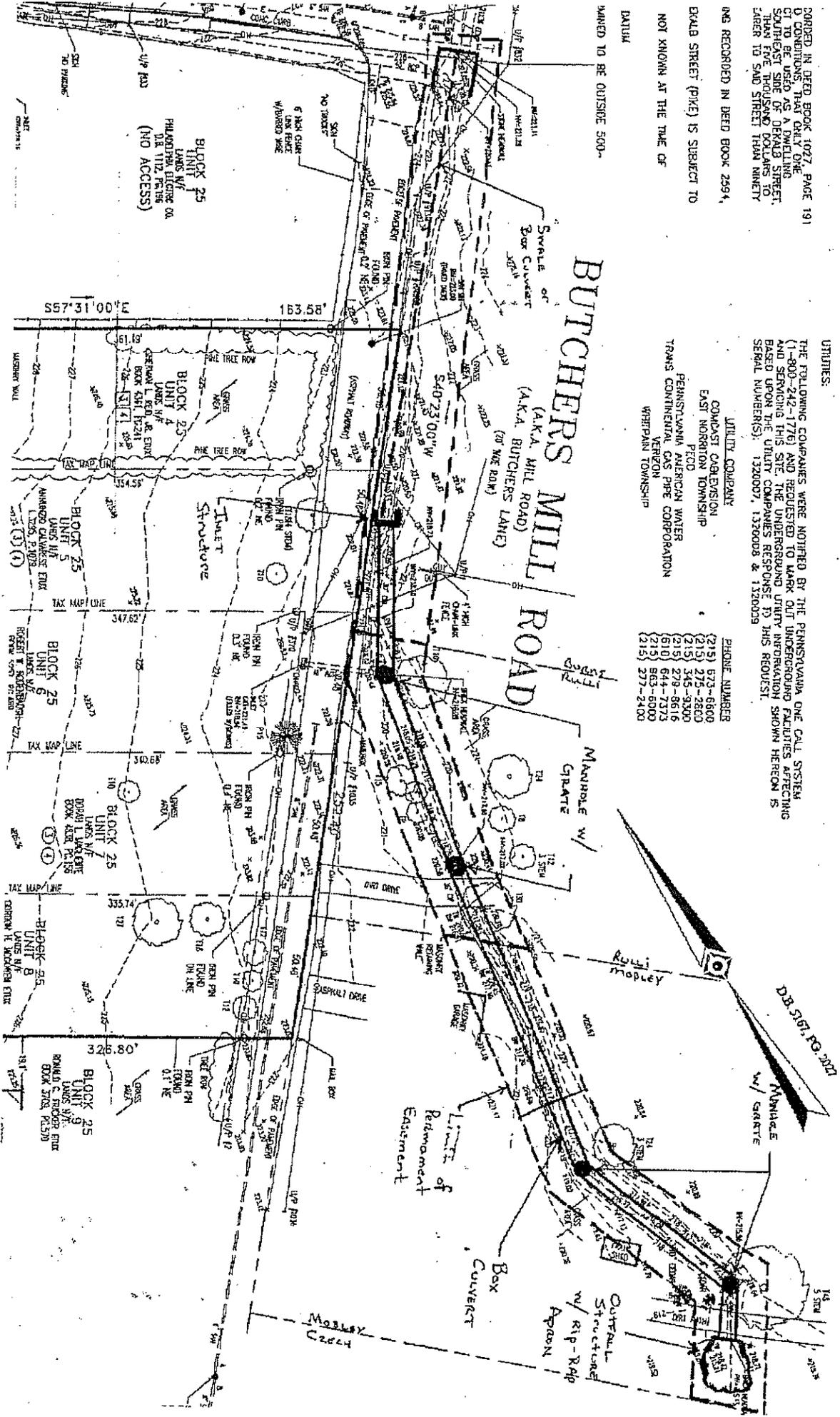
DATUM

MAINED TO BE OUTSIDE 500-

UTILITIES:

THE FOLLOWING COMPANIES WERE NOTIFIED BY THE PENNSYLVANIA ONE CALL SYSTEM
 (1-800-242-1770) AND REQUESTED TO MARK OUT UNDERGROUND FACILITIES AFFECTING
 A SERVING THIS SITE. THE UNDERGROUND UTILITY INFORMATION SHOWN HEREON IS
 BASED UPON THE UTILITY COMPANIES RESPONSE TO THIS REQUEST.
 SERIAL NUMBERS: 1320007, 1320008 & 1320009

- | | |
|---------------------------|----------------|
| UTILITY COMPANY | PHONE NUMBER |
| COMCAST CABLEVISION | (215) 673-6800 |
| EAST NORRITON TOWNSHIP | (215) 272-2800 |
| PECO | (215) 245-9300 |
| PENNSYLVANIA AERIAN WATER | (215) 279-8616 |
| VERIZON | (215) 644-7573 |
| WARRPANI TOWNSHIP | (215) 583-6000 |
| | (215) 277-2400 |



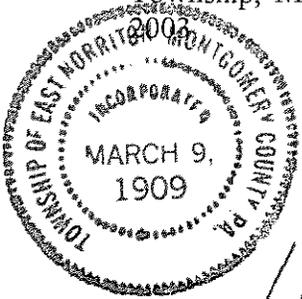
DB-507.FG-2024

Overall Structure w/ Rip-Rap

Limit of Retainment Encumbrance

Manhole

DULY PRESENTED AND ADOPTED the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, in public meeting held the 26th day of August,



BOARD OF SUPERVISORS
EAST NORRITON TOWNSHIP

By: Lewis K McJeans
Chairman

Attest: Lebanon S. V. ...
Secretary

The above conditions are agreed to by John Noble for
Dunn-Noble Development Co., this 26th day of August, 2003.

By: [Signature]

EXHIBIT "A"

Land Development Application prepared by Bohler Engineering Inc.:

- C-1. Title Sheet
- C-2. Record Lot Consolidation Plan, Original 1/15/03, latest revision dated 6/23/03
- C-3. Construction Site Plan, Original 1/15/03, latest revision dated 6/23/03
- C-4. Existing Conditions/Demolition Plan, Original 1/15/03, latest revision dated 6/23/03
- C-5. Grading, Drainage and Utility Plan, Original 1/15/03, latest revision dated 6/23/03
- C-6. Utility Plan and Profiles, Original 4/02/03, latest revision dated 6/23/03
- C-7. Erosion and Sediment Control Plan, Original 1/15/03, latest revision dated 6/23/03
- C-8. Landscape Plan, Original 1/15/03, latest revision dated 6/23/03
- C-9. Lighting Plan, Original 1/15/03, latest revision dated 6/23/03
- C-10. Details, Original 1/15/03, latest revision dated 6/23/03
- C-11. Details, Original 1/15/03, latest revision dated 6/23/03
- C-12. Details, Original 1/15/03, latest revision dated 6/23/03
- C-13. Details, Original 4/02/03, latest revision dated 6/23/03